

U.S. Patent Application Serial No. 10/776,379  
Response filed December 15, 2005  
Reply to OA dated September 29, 2005

### **REMARKS**

Claims 1, 2 and 5 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. It is believed that this Amendment is fully responsive to the Office Action dated September 29, 2005.

Claims 1, 2 and 5 are currently pending in this patent application, claims 3 and 4 having been canceled in the Preliminary Amendment filed on February 12, 2004.

In the outstanding Office Action, first, claims 1 and 2 stand rejected under 35 USC §102(b) as being anticipated by Yasui (U.S. Patent No. 4,942,588). The Examiner specifically relies on Yasui's Figure 10a for teaching a partial reflection mirror 1 having a reflection film 61 and a partial reflection film 12. The Examiner takes the position that Yasui's reflection film 61 teaches the applicants' claimed total reflecting portion, while Yasui's partial reflection film 12 teaches the applicants' claimed partial reflecting portion.

The applicants respectfully request reconsideration of this rejection.

A significant structural arrangement of the applicants' claimed laser device, as now set forth in claim 1, includes at least a part of an outer periphery of the partial reflecting portion or the non-reflective portion being formed in a shape of a straight line in a direction parallel with discharge.

As to claim 2, a significant structural arrangement of the applicants' claimed laser device includes at least a part of an outer periphery of the partial reflecting portion being formed in a shape of a straight line in a direction parallel with discharge.

Yasui clearly states that the shape of its partial reflection film 12 is a ring shape.

On the other hand, in the applicants' instant claimed laser device, the shape of the partial reflecting portion is a rectangle, as shown in, e.g., the applicants' Figure 2. This shape is conformed to the light distribution between the electrodes 5, 5 being substantially rectangular. The shape of the partial reflecting portion shown in the applicants' Figure 6 is a band-shape. The longitudinal direction of the band is parallel with the discharge direction of the electrode. In the applicants' Figure 6, the light at least in the direction orthogonal to the discharge direction (namely, the longitudinal direction of the band) is intended to contribute to laser oscillation, as compared to that shown in Figure 2. With respect to the discharge direction, the light of the width, which is not smaller than the width of the electrodes 5, 5, cannot contribute laser oscillation; and therefore, it has

U.S. Patent Application Serial No. 10/776,379  
Response filed December 15, 2005  
Reply to OA dated September 29, 2005

the same effect as in Figure 2 even if it is in the shape of the partial reflecting portion as show in Figure 6.

In view of the above, the applicants submit that not all of the claimed elements, as now set forth in each of claims 1 and 2, are found in the exactly the same situation and united in the same way to perform the identical function in Yasui's device. Thus, there can be no anticipation under 35 USC §102(b) of the claimed invention, now set forth in claim 1 or claim 2, based on Yasui.

Accordingly, the withdrawal of the outstanding anticipation rejection under 35 USC §102(b) based on Yasui (U.S. Patent No. 4,942,588) is in order, and is therefore respectfully solicited.

Secondly, claim 5 stands rejected under 35 USC §102(b) based on Takenaka (U.S. Patent No. 5,506,858). The Examiner specifically relies on Takenaka's Figure 3 for teaching a laser medium 4, along with an aperture 3 formed in front of a total reflector 1, and another aperture 3 in front of a coupling mirror 2 within a stable resonator. In addition, the Examiner specifically relies on Takenaka's partial reflection film 11c for teaching the applicants' claimed low transmission portion, and an anti-reflecting film 12a for teaching the applicants' claimed high transmission portion.

The applicants respectfully request reconsideration of this rejection.

U.S. Patent Application Serial No. 10/776,379  
Response filed December 15, 2005  
Reply to OA dated September 29, 2005

The applicants' claimed laser device, as now set forth in claim 5, includes the low transmission portion and the high transmission portion being formed only at a side of the front mirror, which faces the amplifying section.

In Takenaka, the non-reflective films 12a, 12b thereof are formed at both sides of the mirror 2, which is a teaching clearly distinguishable from the above-noted claimed structural arrangement now recited in claim 5.

In view of the above, the applicants submit that not all of the claimed elements, as now set forth in claim 5, are found in the exactly the same situation and united in the same way to perform the identical function in Takenaka's device. Thus, there can be no anticipation under 35 USC §102(b) of the claimed invention, now set forth in claim 1 or claim 2, based on Takenaka.

Accordingly, the withdrawal of the outstanding anticipation rejection under 35 USC §102(b) based on Takenaka (U.S. Patent No. 5,506,858) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

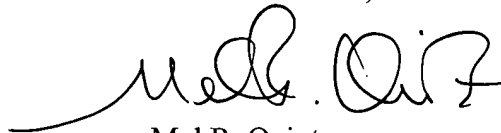
U.S. Patent Application Serial No. 10/776,379  
Response filed December 15, 2005  
Reply to OA dated September 29, 2005

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,  
HANSON & BROOKS, LLP



Mel R. Quintos  
Attorney for Applicants  
Reg. No. 31,898

MRQ/lrj/ipc

Atty. Docket No. **000866A**  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



23850

PATENT TRADEMARK OFFICE